

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of	)	CA 02-06
	)	
GROUP BUILDERS, INC. and	)	
Charles I. Cook Chief Executive Officer	)	
And Anacleto Alcantra, President,	)	
	)	
Respondents.	)	
_____	)	

CONCILIATION AGREEMENT

On or around February, 2002, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondents Group Builders, Inc., Anacleto Alcantra, its President and Charles I. Cook, its Chief Financial Officer ("Group"), whose business address is 2020 Democrat Street, Honolulu, Hawaii 96819. They are in the business of general and specialty contracting. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Group and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondents and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or corrective action taken by Respondents pursuant to section 11-216(g), HRS.

- III. That Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondents waives the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondents enter into this Agreement with the Commission on their own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
  - 1. On or around February, 2002, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the Harris 2000 campaign committee ("Harris") initiated an investigation involving excess contributions in violation of section 11-204(a), HRS.
  - 2. Section 11-204(a)(1)(C), HRS reads in part as follows: No person other than a candidate for the candidate's own campaign, or any other entity shall make contributions to:....A candidate seeking nomination or election to a four-year non-statewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.
  - 3. The election period for Jeremy Harris and the Harris 2000 campaign committee for Mayor of Honolulu include the period from November 6, 1996 to November 7, 2000.

4. On or about December 23, 1996, Group made a contribution to Harris in the amount of \$3,500.
5. On or about October 29, 1999, Group made a contribution to Harris in the amount of \$1,000.
6. On or about December 27, 1999, Group made a contribution to Harris in the amount of \$1,000.
7. On or about September 15, 2000, Group made a contribution to Harris in the amount of \$250.
8. On or about September 27, 2000, Group made a contribution to Harris in the amount of \$1,000.
9. That aggregate contributions total \$6,750 to the Harris 2000 campaign committee for the election period, an excess contribution of \$2,750.
10. Group acknowledges that an excess contribution of \$2,750 had been made to the Harris 2000 campaign committee in violation of section 11-204(a)(1)(C), HRS.
11. The excess contribution in violation of section 11-204(a)(1)(C), HRS, was not knowing, intentional, or reckless pursuant to section 11-229, HRS.

## VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement #02-06 Group understands and agrees to the following:

(A) Group agrees to an assessment of **Five Hundred Dollars (\$500)** pursuant to section 11-228, HRS.

(1) For violation of section 11-204(a)(1)(C), HRS,  
makin excess campaign contributions to the Harris  
2000 campaign committee;

(B) Group agrees to comply with campaign finance statutes on  
contributions and expenditures to candidate committees.

(C) Terms of payment of the assessment shall be by Order of  
the Commission.

VIII. The Commission upon its own motion or a written request of anyone filing  
a complaint under section 11-216, HRS, may review compliance with the  
Agreement. If the Commission believes that the Agreement has been  
violated, it may institute administrative proceedings or a civil action in the  
Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

IX. This Agreement shall become effective as of the date that all parties have  
signed and the Commission has approved the entire Agreement.

X. This Agreement constitutes the entire agreement between the Commission  
and Group on the matters raised herein, and no other statement, promise,  
or agreement, either in writing or oral, not contained in this Agreement  
made by either party or by agents of either party shall be enforceable.

XI. This Agreement, unless violated, shall be a complete bar to any further  
action by the Commission with respect to the violations at issue in this  
matter.

**FOR THE COMMISSION:**

Robert Y. Watada, Executive Director  
Campaign Spending Commission

By: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR THE RESPONDENTS:**

Anacleto Alcantra  
Group Builders, Inc.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(Name)

(Title)